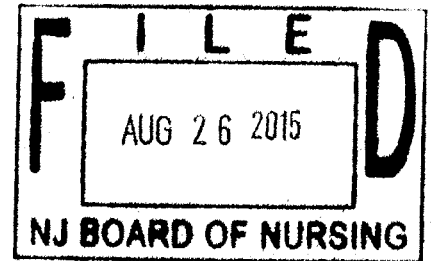


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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	ADMINISTRATIVE ACTION
	:	
Sulenny D. James, C.H.H.A.	:	
Certificate No. 26NH05591800	:	INTERIM CONSENT ORDER
	:	
TO PRACTICE AS A HOMEMAKER-HOME	:	
HEALTH AIDE IN THE STATE OF	:	
NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information that Sulenny D. James ("Respondent"), a certified homemaker-home health aide in the State of New Jersey, was arrested on February 17, 2015 by the Pompton Lakes Borough Police for violation of N.J.S.A. 2C:20-3A, Theft of Movable Property and N.J.S.A. 2C:21-1, Forgery.

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Specifically, it is alleged that while working as a homemaker-home health aide, Respondent stole checks from and used the ATM card of, a patient. It is further alleged that Respondent forged the signature of the victim on multiple checks during the period of August through December 2014. The total amount allegedly taken by Respondent including the fraudulent checks and ATM withdrawals is \$6,912.

On February 25, 2015, the Board sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Newark, New Jersey, via regular and certified mail. On March 13, 2015 the Board received a response from Respondent's attorney stating that Respondent was innocent until proven guilty in a court of law, and enclosing a portion of the criminal complaint in this matter, but not further responding to the inquiry. To date, Respondent has not fully responded to the letter of inquiry.

The allegations, if proven, would disqualify Respondent from certification as a homemaker-home health aide pursuant to N.J.S.A. 45:11-24.3, constitute professional misconduct under N.J.S.A. 45:1-21(e), demonstrate that Respondent engaged in acts constituting crimes or offenses which relate adversely to the activity regulated by the Board in violation of N.J.S.A. 45:1-21(f) and engaged in the use of dishonesty, deception, misrepresentation or false pretense in violation of N.J.S.A.

45:1-21(b), all of which violations provide bases for disciplinary action against Respondent's certification. In addition, Respondent's failure to fully respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

It appearing that Respondent agrees to voluntarily enter into an interim agreement surrendering her certification, to be deemed a suspension, without making admissions and without prejudice to her ability to defend any action brought based on the above allegations, and the Board finding the within disposition adequately protective of the public health, safety and welfare, and for good cause shown;

IT IS THEREFORE ON THIS 26<sup>th</sup> day of August, 2015,  
ORDERED:

1. Respondent is hereby granted leave to voluntarily surrender her certification to practice as a homemaker-home health aide in the State of New Jersey, to be deemed a suspension, pending the disposition of the criminal charges against her, successful completion of all criminal terms (if

any) and payment of all fines and penalties (if any). The surrender shall be effective upon the filing of this Order.

2. Respondent shall immediately cease and desist from holding herself out as a certified homemaker-home health aide in the State of New Jersey and/or practicing as a homemaker-home health aide, which includes but is not limited to performing delegated nursing regimens or nursing tasks delegated through the authority of a duly licensed professional nurse pending further order of the Board. Respondent shall, within 5 (five) days of the filing of this Order, mail her certificate, wall and wallet version, to practice as a homemaker-home health aide to Twalema Khonje, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101.

3. Nothing contained herein shall be deemed an admission of liability on the part of Respondent.

4. The entry of the within Order is without prejudice to the further investigation and/or prosecution of any violations by Respondent of any statutes or regulations governing the homemaker-home health aide practice in the State of New Jersey or any other violations of law, by the Board, the Attorney General, or any other regulatory or law enforcement agency, including, but not limited to, any pending matters under investigation, including prosecution of this matter.

5. In the event that Respondent seeks reinstatement of her New Jersey certification in the future, Respondent shall:

- a. Furnish the Board with documentation of the disposition of the criminal charge against her and successful completion of all criminal sentencing terms (if any) and payment of all fines and penalties (if any).
- b. Furnish the Board with the information requested in the letter of inquiry and appear before the Board to discuss the circumstances of her arrest and her readiness to reenter practice as a homemaker-home health aide.
- c. Affirmatively establish her fitness, competence and capacity to re-enter active practice as a certified homemaker-home health aide within New Jersey.

6. The Board reserves the right to place restrictions and/or limitations upon Respondent's certification to practice as a homemaker-home health aide in the State of New Jersey in the event that her certification is reinstated.

7. Any violation of this order by Respondent shall constitute grounds for such proceedings as are permitted by law.

NEW JERSEY STATE BOARD OF NURSING

By: \_\_\_\_\_

*Patricia Murphy*  
Patricia Murphy, PhD AEN, FAAN  
President

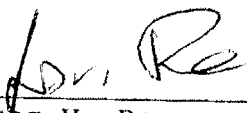
I have read and understand the within Consent Order and agree to be bound by its terms.

Consent is hereby given to  
the Board to enter this Order.

  
Sulenny D. James

Date: 8/17/15

I consent to the form  
and entry of this Order.

  
James V. Pomasco, Esq.  
Attorney for Sulenny D. James

Date: 8/17/15

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